NATIONAL INTELLIGENCER.

OFFICIAL NOTICE OF THE ACCEPTANCE BY GEN. TAYLOR OF THE WHIG NOMINATION.

We have at length the pleasure of laying before our readers the Letter of General TAYLOR, accepting the nomination of himself by the Whig National Convention, as a candidate for the office of President of the United States at the approaching election.

GREENSBOROUGH, JULY 29, 1848.

To the Editors of the National Intelligencer.

I this day received a communication from Gen. TAYLOR in reply to mine of the 10th of June. I enclose you copies of the correspondence with a request that you will publish them.

Yours, most respectfully,

J. M. MOREHEAD.

PHILADELPHIA, JUNE 10, 1848.

Gen. ZACHARY TAYLOR.

DEAR SIR: At a Convention of the Whigs of the United States held in this city on the 7th instant, and continued from day to day until the 9th, you are nominated as a candidate for the Presidency of the United States at the ensuing Presidential election.

By a resolution of said Convention, it was made the duty of their President to communicate to you the result of their deliberations, and to request your acceptance of the nomination.

In obedience to said resolve, I, as the organ therein designated, have the honor to make to you the foregoing communication, and to ask your acceptance of the nomination.

Permit me, dear sir, to indulge the hope that he who never shrinks from any responsibility, nor fails to discharge any duty assigned him by his Government, will not now refuse this enthusiastic call of his countrymen.

I am, dear sir, with sentiments of very high regard, your most obedient servant,

J. M. MOREHEAD,
President of the Whig National Convention.

BATON ROUGE, (LA.) JULY 15, 1848.

SIR: I have had the honor to receive your communication of June 10th, announcing that the Whig Convention, which assembled in Philadelphia on the 7th of that month, and of which you were the presiding officer, had nominated me for the office of President of the United States.

Looking to the composition of the Convention, and its numerous and patriotic constituency, I feel deeply grateful for the honor it has bestowed upon me, and for the distinguished confidence implied in my nomination by it to the highest office in the gift of the American People.

I cordially accept that nomination, but with a sincere distrust of my fitness to fulfil the duties of an office which demands for its exercise the most exalted ability and patriotism, and which has been rendered illustrious by the greatest names in our history. But, should the selection of the Whig Convention be confirmed by the people, I shall endeavor so to discharge the new duties then devolving upon me as to meet the just expectations of my fellow-citizens, and preserve undiminished the prosperity and reputation of our common country.

I have the honor to remain, with the highest respect, your most obedient servant,

Z. TAYLOR.

To the Hon. J. M. MOREHEAD,
Greensboro', Guilford county, North Carolina.

A CHAPTER OF SECRET HISTORY.

FROM THE NEW YORK EVENING POST.

The two letters which are subjoined form an important passage in the secret history of the Annexation of Texas. Our readers are aware that several Democratic members of the United States Senate strove to induce Congress to adopt such a method of annexing Texas as would avoid the danger of a war with Mexico, and satisfy every part of the Union. The plan of Mr. BENTON, proposing to arrange by negotiation the terms on which Texas should be admitted into the Union, had these objects in view. If it had been adopted, we should have acquired Texas without war, bloodshed, or a national debt. The Democratic Senators who supported it had it in their power to compel Congress to adopt their method or none. How they were induced to consent to a measure, which put it in the power of the PRESIDENT to annex Texas and the war at once is related in the letters. They were betrayed into the step, it seems, by an act of the grossest perfidy.

The whole history of the annexation of Texas, so far as our own Government is concerned, is a series of acts which make that page of history a record of our disgrace. The clandestine intrigues of Tyler to negotiate an annexation; the motive of those intrigues, distinctly avowed by his Secretary of State to be the protection and extension of slavery; the silly alarm felt, or pretended to be felt, that Texas was about to make herself a colony of Great Britain; the treaty negotiated by Tyler with the Government of Texas, so objectionable that the Senate rejected it with scorn; the shameless briberies by which advocates of the immediate annexation of Texas were raised up in almost every part of the country; the sending of a messenger to Texas by Tyler in the last hour of his administration, with a view to anticipate his successor and to prevent him from selecting the wise and better alternative left to his discretion; all these are worthy parts of the same shameless transaction. The most infamous portion of the whole affair, however, is that which is disclosed in the letters of Mr. Tappan and Mr. Blair, which we publish to-day.

We think, for our part, that this fraud should have been disclosed the moment it was consummated—the moment that Mr. Polk, after his solemn promises—after all his pretences of haste to recall Mr. Tyler's clandestine messenger, and to revoke the offer of which he was the bearer, declared in his annual message that he had ratified Mr. Tyler's proceedings, and confirmed his offer to annex Texas and the war. A regard to their own reputation, it seems to us, should have led them to make a frank and full disclosure of the treachery and duplicity by which they were made involuntary accomplices in the guilt of precipitating the country into a war. They seem, on their part, to have thought otherwise.

The only important point, however, is the truth of the narrative. Mr. Tappan and Mr. Blair agree in its circumstances, and, if more testimony were needed, there are other Senators who, if they ever speak on the subject, will tell the same story. We are sorry for the pre-eminence in trickery which it gives Mr. Polk over Mr. Tyler. In all future histories of the annexation of Texas, this story of a promise solemnly given and deliberately violated, will form a part.

LETTERS OF MESSRS. TAPPAN AND BLAIR.

STEUBENVILLE, JULY 21, 1848.

To the Editor of the Evening Post:

DEAR SIR: Since the admission of Texas into the Union was consummated, I have thought, with you, that my vote on that occasion required explanation. I was in favor of receiving that State into the Union as soon as it could be done on fair and just terms, and with the consent of Mexico; and I believed, from all I could learn, that this might be accomplished at less expense than it would cost to wage a war of one year's duration for obtaining it. So disposed, I had not only voted against Mr. Tyler's treaty of annexation, because it was exceptionable in its terms, but, in violation of a rule of the Senate, from an imperative sense of public duty, had published it, and the correspondence with which it was accompanied, because *it appeared to me that the whole affair afforded evidence of a daring conspiracy to divide the Union, by arraying the free and slave States against each other;* evidence which considerations entirely paramount to all Senatorial formulas required to be immediately divulged.

The inquiry is a very natural one—how men who desired the admission of Texas and voted against the treaty of annexation, could afterwards vote for the resolution brought into the House of Representatives by Mr. Milton Brown, which was more exceptionable in its terms than the treaty. Now that the war with Mexico is ended, and the public interest cannot be injured by answering this inquiry, I give you the following statement, premising that the public history of this transaction is in the Congressional Globe, vol. 14, page 358 to 363, and the Congressional Globe of February 24th, 1847.

When the "joint resolution declaring the terms on which Congress will admit Texas into the Union as a State," was before the Senate, it was soon found that a number of the Democratic members who were favorable to the admission of Texas would vote against that resolution. I was one of them. In this stage of the matter it was proposed that, *instead of rejecting the House resolution, we should amend it by adding, as an alternative proposition, the substance of Mr. Benton's bill to obtain Texas by negotiation.* I had strong objections to this plan, for I did not see the necessity or propriety of passing the House resolution either with or without the proposed amendments, but it was urged that the session was so near its close that the measure would be defeated if we substituted Mr. Benton's plan for the other, whereas if we made it an additional article it would readily pass the House in that form. This reasoning did not satisfy me, but finding that my friends were all satisfied with such proposed arrangement, I acceded to it—provided that I could have satisfactory assurance that the plan proposed in such amendment would be the only one used and submitted to Texas.

Mr. Polk was in the city; it was understood that he was very anxious that Congress should act on the subject before he came into office; it was also understood that the proposition to amend the House resolution originated with Mr. Polk. It had been suggested that, if we did so amend the resolution, Mr. Calhoun would send off the House resolution to Texas, and so endeavor to forestal the action of Mr. Polk; but Mr. McDuffie, his friend, having met this suggestion by the declaration that he would not have the "audacity" to do such a thing, it was no more thought of. One difficulty remained, and that was the danger of putting it into the power of Mr. Polk to submit the House resolution to Texas. We understood, indeed, that he intended to submit the Senate proposition to that Government; but, without being satisfied that he would do this, I would not vote for the resolution, and it was well ascertained that, without my vote, it could not pass. Mr. Haywood, who had voted with me, and was opposed to the House resolution, undertook to converse with Mr Polk on the subject, and did so. He afterwards told me that he *was authorized by Mr. Polk to say to myself and other Senators that, if we could pass the resolution with the amendment proposed to be made, he would not use the House resolution, but would submit the Senate amendment as the sole proposition to Texas.* Upon this assurance I voted for the amendment moved by Mr. Walker, containing the substance of Mr. Benton's bill, and voted for the resolution as it now stands on the statute book.

It is matter of history that Mr. Calhoun did have the "audacity" to send off a special messenger with the House resolution to Texas on the 3d of March, a few minutes before he went out of office; and that *Mr. Polk adopted and confirmed this act of Mr. Calhoun's, so admitting Texas into the Union, and placing the United States in a state of war with Mexico.*

Knowing that my esteemed friend, F. P. Blair, had taken a deep interest in this subject while it was before Congress, I addressed a note to him, requesting a statement of his recollections of the way the Texas question was got through the Senate. The following is his answer.

I am, sir, yours, BENJAMIN TAPPAN.

SILVER SPRING, JULY 7, 1848.

Hon. BENJ. TAPPAN, Steubenville, Ohio.

DEAR SIR: Your letter of the 1st instant asks me to state what I know "as to the way the Texas question was got through the Senate." I comply, and will not incumber the narrative with immaterial details.

When the resolution passed by the House of Representatives for the annexation of Texas reached the Senate, it was ascertained that it would fail in that body. Benton, Bagby, Dix, Haywood, and, as I understood, you also, were absolute in opposition to this naked proposition of annexation, which necessarily brought with it the war in which Texas was engaged with Mexico. All had determined to adhere to the bill submitted by Col. Benton, for the appointment of a commission to arrange the terms of annexation with Texas, and to make the attempt to render its accession to our Union as palatable as possible to Mexico before its consummation. It was hoped that this point might be effected by giving (as has been done in the late treaty of peace) a pecuniary consideration, fully equivalent in value for the territory desired by the United States, and to which Texas could justly assert any title. The Senate had been polled, and it was ascertained that any two of the Democratic Senators who were opposed to Brown's resolution, which had passed the House, could defeat it—the whole Whig party preferring annexation by negotiation, upon Col. Benton's plan, to that of Brown.

While the question was thus pending, I met Mr. Brown, (late Governor of Tennessee, then a member of the House,) who suggested that the resolution of the House and the bill of Colonel Benton, preferred by the Senate, might be blended, making the latter an alternative, and leaving the President elect (who alone would have time to consummate the measure) to act under one or the other, at his discretion. I told Mr. Brown that I did not believe that the Democratic Senators opposed to the resolution of the House, and who had its fate in their hands, would consent to this arrangement, unless they were satisfied in advance by Mr. Polk that the commission, and negotiation contemplated in Col. Benton's plan would be tried, before that of direct legislative annexation was resorted to. He desired me to see Colonel Benton and the friends of his proposition, submit the suggestions he had made, and then confer with Mr. Polk, to know whether he would meet their views. I complied; and after several interviews with Messrs. Haywood, Dix, Benton, and others, (Mr. Allen, of Ohio, using his influence in the same direction,) finding that the two plans could be coupled and carried, if it were understood that the pacific project was first to be tried, I consulted the *President elect on the subject.*

In the conference I had with him, *he gave me full assurance that he would appoint a commission, as contemplated in the bill prepared by Col. Benton, if passed in conjunction with the House resolution as an alternative.* In the course of my conversation with Mr. Polk, I told him that the friends of this plan were solicitous that the commission should be filled by distinguished men of both parties, and that Col. Benton had mentioned to me the names of Crittenden and Wright as of the class from which it should be formed. *Mr. Polk responded, by declaring, with an emphasis, "that the first men of the country should fill the commission."* I communicated the result of this interview to Messrs. Benton, Dix, Haywood, &c. The two last met, on appointment, to adapt the phraseology of Benton's bill, to suit as an alternative for the resolution of the House, and it was passed, after a very general understanding of the course which the measure was to take.

Both Messrs. Dix and Haywood told me they had interviews with Mr. Polk on the subject of the communication I had reported to them from him, and they were confirmed by his immediate assurance in pursuing the course which they had resolved on in consequence of my representation of his purpose in regard to the point on which their action depended. After the law was passed, and Mr. Polk inaugurated, he applied to Gen. Dix (as I am informed by the latter) to urge the Senate to act upon one of the suspended Cabinet appointments, saying that he wished his Administration organized immediately, as *he intended the instant recall of the messenger understood to have been dispatched by Mr. Tyler, and to revoke his orders given in the last moments of his power, to thwart the design of Congress in affording him (Mr. Polk) the means of instituting a negotiation with a view of bringing Texas peaceably into the Union.*

Your friend, F. P. BLAIR.

The Boston Traveller of the 24th says: "The Tariff of 1846 must be revised, or the iron manufacture, and some other equally important branches of industry, must be stopped. Indeed, many of the rolling mills in this vicinity have already stopped, and the only mill for the manufacture of railway iron which is yet in work has but to finish a contract to furnish the Ogdenburg road 5,000 tons at $63—one-third in stock—and then close its doors, like the others.

THE BRITISH IRON MARKET IN THE UNITED STATES.—We find in WILLMER & SMITH'S European Times, of July 15, the last number received, a statement of the quantity of British iron exported from Liverpool during the three previous weeks, to all parts of the world, which that paper publishes for the purpose of showing the vast value to Great Britain of the market in the United States, opened to her by the American tariff of 1846. We give the substance of the statement, omitting the details; and we agree with the European Times that "it will afford matter for serious reflection"—only that we think the reflection ought to be much more serious in the United States than in England.

The three weeks are those ending 26th June, 3d July, and 10th July, 1848; and the countries to which the iron was exported are, 1st, the British Possessions in all parts of the world; 2d, all other parts of the world (except the United States;) 3d, the United States:

To British Possessions	1,260 tons.
Other parts of the world	1,610 tons.
United States	13,613 tons.
Total	16,483 tons.

That is to say, that upwards of *eight-tenths* (82½ per cent.) of all the British iron exported from Liverpool during those three weeks came to the United States; and we suppose we may take these three weeks as samples of the year.

Ye iron men and coal men of Pennsylvania, what do *you* think of all this? And what think ye, farmers of the United States, who have great and mighty crops of corn and wheat to export this year, if you had but foreign markets for it; do you believe that England will take eight-tenths of your surplus?

SEIZURE OF LETTERS.—The Boston Transcript says that there was a seizure on Thursday, by a post office agent, of several private parcels of letters for Europe on board the Niagara.

OREGON TERRITORY.

HOUSE OF REPRESENTATIVES, JULY 31, 1848.

On motion of Mr. WENTWORTH, the House resolved itself into Committee of the Whole on the state of the Union, (Mr. MOREHEAD in the chair,) and resumed the consideration of the bill to establish the Territorial Government of Oregon.

The debate having been closed—

Mr. SMITH, of Indiana, proposed to avail himself of the privilege given to him by the rules to make some remarks on this bill. The question involved in the bill has been discussed on almost every bill before the House for some time, and they should now show by their votes whether any principle had been recognised by the House or not. He did trust, however, whatever may be the decision of the House of Representatives and the Senate on this controverted question of slavery, that Congress would give a Territorial Government to Oregon before the adjournment. And he protested against the attempt which had been made to unite the fate of the Territory of Oregon with the newly-acquired territory from Mexico. He protested against identifying the fate and the interests of Oregon with the fate and interests of New Mexico and California. There was no reason why the people of Oregon should be compelled to remain without a Government until they could settle the question growing out of the new territory. Why, we have as yet barely acquired New Mexico and California. They are not yet part and parcel of this Union, because the treaty by which Mexico ceded them to us has not yet been carried out. We have made no appropriation as yet for that purpose. No legislative act has been done by Congress to consummate and carry out the stipulations of the treaty, and he repeated that it would be unjust to compel the people of Oregon to unite their fate with the people of New Mexico and California.

Mr. COBB, of Georgia, inquired if the gentleman from Indiana, as the chairman of the Committee on the Territories, was not instructed by his committee to report bills to establish Territorial Governments in New Mexico and California?

Mr. SMITH replied that he had separate bills for that purpose. He desired them to be considered separately. He was opposed to uniting them in one bill, inasmuch as they presented different questions, which should be separately acted upon.

Mr. COBB was aware of that; but he understood the gentleman from Indiana to say that we have not yet so acquired those territories as to enable us to establish Governments in them.

Mr. SMITH said they were not part of this Union as Oregon was, nor would be, without further legislation, of which the bills he had ready to report were part. Congress must first pass a bill to carry out the treaty before they would be properly part of this Union.

Mr. COBB asked, then, what authority they had to establish territorial governments by the bills which the gentleman from Indiana was desirous to report?

Mr. SMITH supposed that all necessary enactments would be made for that purpose, and these bills were a part of the necessary legislation. Now, suppose they never should appropriate money to pay for these territories, would they be ours then? It was not necessary, however, to consume time on that point. What he desired to do now was to look at the past legislation of Congress on this question. They found gentlemen telling them that they ought not to create a government for Oregon which would restrict slavery, for that they had no power to do so. Now, why was there this sensitiveness on the part of gentlemen? Why, they had been legislating on this question ever since he had had a seat on this floor. During the first Congress of which he was a member a bill was passed by this House by a large majority creating a Territorial Government for Oregon, which contained a provision which was a prohibition of slavery. He desired to refer to one or two things which occurred when this bill passed. He would quote from the journal of the 2d session of the 28th Congress, of the date of the 3d February, 1845, page 318:

"The question being, first, 'Will the House agree to the amendments to the said bill reported from the Committee of the Whole House on the state of the Union?' when a division of the said amendments being called for, the first of the said amendments was read and agreed to; and the second of said amendments was then read as follows: And at the end of the sixth section the following: '*Provided, however,* That there shall neither be slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes whereof the party shall have been duly convicted.' And the question being put, 'Will the House agree thereto?' it was decided in the affirmative: Yeas 129, nays 69."

This was the opinion of the House of Representatives in 1845; and among the yeas were found five Southern members, namely: Francis Brengle, of Maryland; Henry Grider, of Kentucky; George B. Rodney, of Delaware; W. P. Thomasson, of Kentucky; and John White, of Kentucky. So small was the opposition to the slavery restriction at that time that they found not only the North almost unanimous, but the South also coming to their aid to prohibit slavery there. The Northern members voting against it were, William J. Brown, of Indiana, and Charles J. Ingersoll, of Pennsylvania. The bill, with that provision in it, was subsequently passed, by 140 ayes to 59 noes. Only fifty-nine! and they were not all Southern gentlemen either. Most of the opposition which that bill met grew out of other questions. It was thought by some that they could not organize a Territorial Government in Oregon while the convention with Great Britain for the joint occupation of that territory remained unrescinded; but he found that a good many of his Democratic friends, who are now so very sensitive on the subject, then voted with him (Mr. S.) and his friends in favor of that bill containing that proviso. Amongst others, were several of his Democratic colleagues, who, he hoped, would again be found voting the same way that they voted on the occasion referred to.

But he begged the attention of the committee to legislation on the same subject at the first session of the 29th Congress, on the 6th of August, 1846. He quoted from the House Journal, page 1,245: "The Oregon bill being under consideration, the following amendment was read: 'In the 10th line of section 12, after the word Oregon, insert, 'and neither slavery nor involuntary servitude shall ever exist in said Territory, except for crime whereof the party shall have been duly convicted.' And the question being put: 'Will the House agree thereto?' it was decided in the affirmative: 'Yeas 108, nays 44.'" The Southern men voting aye were, Wm. F. Giles, Maryland; Henry Grider, Kentucky; D. S. Kaufman and Timothy Pilsbury, Texas; W. P. Thomasson, Kentucky; and B. R. Young, Kentucky—six in number. The bill was afterwards passed without a call of the yeas and nays.

The two gentlemen from Texas had not viewed this power of prohibiting slavery in the Territories at that time with any thing like the abhorrence they manifested toward it now. They recorded their names in favor of the amendment to the Oregon bill which made the prohibition. No alarm was felt then. Gentlemen did not cry out that the constitution was violated, or the rights of the South invaded. On the contrary, Southern men themselves stood up for the measure, and at the last session of the last Congress the same thing took place. A gentleman from South Carolina (Mr. BURT) had then assented to the prohibition clause, but had inserted a preamble to it declaring that "as the whole Territory of Oregon lay north of the line of the Missouri compromise," &c. Southern gentlemen, so far from preventing the insertion of the clause, merely asked that the reason for it might be stated on the face of the bill; but this was refused; and the bill had passed the House with the prohibitory clause in it by a vote of 134 to 35. He wanted to know how Southern gentlemen had voted for this who were now so extremely sensitive upon the subject?

Mr. SAWYER inquired whether Mr. SMITH had not himself voted against the amendment proposed by the gentleman from South Carolina, (Mr. BURT?)

Mr. SMITH replied, certainly he had; because he was not willing that the restriction against slavery should be put upon that ground. But still it was a fact that the united delegation from South Carolina had voted for the restriction.

Mr. BURT said that, as reference had been made to the vote of the South Carolina delegation, it was proper to explain that it had been at the time that vote was given the opinion of every Southern man, with the exception of one or two, that slavery never would enter into Oregon, because it lay north of the compromise line; and it was with that understanding that they had voted for the clause prohibiting it. But in 1829, when President Polk asked for an appropriation of two millions of dollars to effect a treaty with Mexico, a gentleman from Pennsylvania rose and proposed what had since become so famous as the Wilmot proviso. Then the South took the alarm. At the next session the same proposition was renewed; and the South could no longer doubt the existence of a purpose which had now become openly manifest to all.

Mr. SMITH said he had not asserted that the gentleman could not give good reasons for his vote. But if there were no good reasons then against the restriction by an act of Congress, there were no good reasons against the same thing now. If it was in its own nature unconstitutional now, it was equally unconstitutional then. If Congress had power under the constitution to pass such a restriction in Oregon in 1845, it had the same power to pass the restriction in California in 1848: if it had no power now it had none then. What became of the constitutional argument?

Mr. WOODWARD here made some remarks, which, from his relative position, were perfectly inaudible the reporters.

Mr. SMITH said he was not discussing the propriety of gentlemen's votes: he was merely adverting to the fact that such votes had been given as an answer to the constitutional argument. Whatever might have been the course of the gentleman from South Carolina after the introduction into the House of the Wilmot proviso, yet he found that his friend from Georgia over the way (Mr. COBB) had voted for it long after. It was said that the fears of the South had been alarmed by the proviso. Georgia lay far to the South, yet her able representative here manifested no alarm. The same reasons for the restriction existed now which had existed then: the gentleman considered them as sufficient at that time; he should be sorry if they did not consider them equally so at this.

Mr. KAUFMAN (who had been temporarily absent from the hall when allusion was made to the vote of Texas, but had since returned) now said:

I voted for the restriction of slavery in Oregon because all of Oregon lies north of 36½ deg. north latitude, or what is commonly known as the Missouri compromise line. I voted for it because, in the resolutions of annexation admitting Texas, the Missouri compromise line was inserted and applied to Texas, and now forms a part of her constitution. But I now state to the gentleman from Indiana and this House that I only gave one vote to prohibit slavery in Oregon, and that vote was given before the Wilmot proviso was moved in this House. No man had heard of the Wilmot proviso when I gave that vote. I never have voted against slavery in Oregon since the Wilmot proviso was introduced into and passed by this House. I never will vote to exclude slavery from Oregon or any other Territory of the United States as long as I see the North determined to force down upon the South the Wilmot proviso. I have no idea of the South observing the Missouri compromise while the North repudiates it. And I never should have given the vote I did if I could have foreseen the introduction and passage of the Wilmot proviso by this House. But I will again vote for restricting slavery in Oregon if the North will agree to extend the Missouri compromise line so as to apply to the Territories of California and New Mexico. And this I understand to be the universal sentiment of the South.

Mr. SMITH asked Mr. KAUFMAN whether he had not voted for the bill afterwards?

Mr. KAUFMAN said he had not: and he never would as long as the North should resist the Missouri compromise.

Mr. SMITH said he did not undertake to say how the gentleman would settle the question with his constituents; that was his own affair; but the gentleman had at that time held very different opinions from what he appeared to do now.

But Mr. S. trusted that this bill would be considered and acted upon on its own merits, without connecting it with New Mexico or California. Mr. S. was however for excluding slavery from all the Territories.

Ever since the foundation of this Government our policy had been to restrict slavery wherever it could be done. The Missouri compromise was an act restricting the extent of slavery; but this Government had never passed any act at any time to advance the extent of slavery one foot.

Mr. COBB here inquired whether the extension of slavery had not been contemplated in the formation of the constitution, as was manifested by admitting the importation of slaves as late as 1808?

Mr. SMITH insisted that the extension of slavery had not been contemplated, but the reverse. And this very clause about the importation of slaves till 1808 was itself of a restrictive character, and showed that the framers of the constitution looked forward to the ultimate extinction of slavery throughout the Union.

Mr. McLANE put some inquiry to Mr. SMITH, which was not heard by the reporter; but was understood to be in substance, whether a provision to divide a slave State into two was not a provision that looked to the extension of slavery.

Mr. SMITH said it did not. The division of a State into two States neither increased nor diminished the number of slaves it contained, and did not extend slavery a foot.

The South had not once been so extremely sensitive as she was now. Whence came the ordinance of '87? Was that the work of Northern abolitionists? Was it a contrivance of fanatics who had but one idea? Every body knew that it had proceeded from the hands of Southern men. The committee, consisting of Southern gentlemen, were unanimous in the policy of prohibiting slavery throughout the whole extensive territory ceded by Virginia to the United States. They reported the ordinance, and the Confederation concurred in their report without a dissenting voice. Did any body complain that the North were invading the rights of the Southern States? Not at all. And how had it been at the time of the acquisition of Louisiana? It was then agreed that slavery should never exist there to the North of 36° 30′. Did the South regard the constitution as violated by this? Was any cry raised here against the fanatics? What did they now contend for in the North? For the abolition of slavery within any one of the States—for the least interference with the rights of a slaveholder? Not at all; not at all. All they asked was that territory now free be suffered to remain free. Was this interfering with the South? Far from it. Mr. S. would be as far as any man on that floor from doing any thing that militated against the harmony of all the States; but when he found in our possession territory which we had acquired as free territory, he was for keeping it free. This territory had brought upon us only the evils predicted by the opponents of the war. These were the bitter fruits of the unauthorized measures of this Administration. All this had been foretold in warning tones; gentlemen had been warned in time that this very state of things would come upon the country. The Whigs, the opponents of the war, had found it here. He called all men to witness that they had done all in their power to keep this territory out of the Union. He gloried in the stand they had taken against it, and in the powerful aid they had received from their Southern friends; but all had been in vain. They now found it here, and they must meet it like men and like statesmen. Mr. S. never would consent to extend slavery by any act of his. There was not a man opposed to the war who had not predicted what we now saw. The Whigs did not take their opponents by surprise; and, if they could not avoid the agitation which this contest was creating all over the country in any other way, he would cast the whole territory from us as a burden and a curse. It was merely a bone of contention. He was not afraid of the responsibility. This hated acquisition had cost us one hundred millions of dollars and thirty-five thousand human lives, and after all it was worse than worthless. It would be found in the end the dearest acquisition which this country ever had made. If we continue to hold this territory, we must settle some form of government for it. Gentlemen referred to the cases of the acquisition of Louisiana and the annexation of Texas; but were these cases of the extension of slavery? Not at all; they were cases of its restriction. He would ask of the gentleman from Texas (Mr. KAUFMAN) how the restriction in the annexation resolutions, which prohibited the extension of slavery north of 36° 30′, had been observed in practice?

Mr. KAUFMAN said it had been carried out to the letter. The annexation resolutions did not say that slavery should not exist north of 36° 30′, but that the States which should be formed out of the Texan territory should not permit it to extend north of that line.

Mr. SMITH asked if the constitution of Texas did not establish the existence of slavery throughout the whole extent of the State; and whether it did not forbid the Texan Legislature to pass any act for the abolition of it?

Mr. KAUFMAN replied that the prohibition was not against the abolition of slavery, but the abolition of it without the consent of the owners of the slaves. The annexation resolutions were incorporated into the constitution of Texas and formed a part of it.

Mr. VINTON asked whether the Legislature of Texas had passed any law prohibiting the carrying of slaves beyond the line of 36° 30′?

Mr. KAUFMAN replied that the resolutions of annexation did not require that it should. No gentleman could fairly charge Texas with bad faith when she had made the very words of the annexation resolutions a part and parcel of her constitution.

Mr. SMITH (resuming) said that gentlemen might plead as they would, but they well knew that the word of promise might have been kept to the ear but was broken to the sense. All he knew about it was, that the compromise was understood by all to be that there should no slavery exist north of 36° 30′. If Texas meant to observe and carry out that compromise in good faith, ought she not to have passed a law rendering it impossible that slavery should have any existence north of that line? Yet it did exist there. Slaves were at this hour held in Texas north of that line; and they would continue to be held there till doomsday; for Texas declared that slavery should not be interfered with either north or south of the line.

Mr. STEPHENS said that the resolutions of annexation had been incorporated into the constitution of Texas and formed a part of it.

Mr. SMITH. Does the gentleman mean to say that slaves cannot now be held to the north of 36° 30′?

Mr. STEPHENS. They cannot.

Mr. SMITH. I have read her constitution, and I never so understood it.

Mr. BAYLY here put a question to Mr. SMITH, not heard at the Reporter's desk.

[A geographical conversation (partly informal) here took place as to whether any portion of Texas actually extended to the north of 36° 30′.]

Mr. SMITH quoted the constitution of Texas.

Mr. BAYLY repeated his question, which was now understood to be, Whether Texas did extend north of the compromise line?

Mr. SMITH said he so understood it.

[Voices: "You are mistaken in the geography."]

Mr. KAUFMAN was understood to say that no part of what was called Texas proper lay north of that line; but that part claimed as New Mexico did extend north of it.

Mr. SMITH again quoted the constitution of Texas as to the permission to form two or more States, and requiring that slavery should be abolished north of the line, but that south of it the States should be received with or without slavery, as the inhabitants should decide for themselves. He went on to say, whatever territory Texas might hold to the north of the line, she did, under her constitution, subject the country to the curse of slavery up to the time that new States should be formed and should come into the Union; and that would be just as long as she chose: since no new States could be formed without her sanction. As long as she refused her consent slavery would continue. He, therefore, insisted that, as to the practical result, the compromise had not been carried out in its spirit.

Mr. S. said he was not now going to enter into the constitutional argument as to whether Congress did or did not possess power to prohibit slavery in the Territories. It seemed astonishing to him that there could be any controversy on the subject. It had certainly never been doubted before. The right was recognised by the framers of the constitution and acted on by every Congress from that day to this. The gentleman from Virginia (Mr. BAYLY) had said that the power had never been exercised on the admission of any State but Wisconsin. He was mistaken; and he would see he was mistaken if he looked at the admission of Indiana, Michigan, and Illinois. He would advise the honorable gentleman to examine into this. He would find that they had Governments granted to them "similar in all respects to the provisions of the ordinance of 1787;" and did not the ordinance of '87 prohibit slavery? Did not the gentleman from Virginia know that the Legislature of Indiana had at one time petitioned Congress to suspend the restriction? But why ask that it be suspended if it had no existence? The petition was rejected indeed, but it proved the existence of the restriction. There was no solitary instance of a Territorial Government since the adoption of the constitution which was free, where slavery had not been directly prohibited. It had been done for more than fifty years. Every foot of free soil had been kept free. Why had it so suddenly been discovered that this was an invasion of the rights of the South?

Mr. BAYLY said that if proper time were allowed him he could answer the gentleman, and satisfy any candid mind that his (Mr. B.'s) position was correct.

Mr. SMITH said it was impossible for him to spare the gentleman any more of his own time, which was rapidly passing away. He did not know whether the gentleman considered Mr. S. as possessing a candid mind or not, but he claimed to know the common meaning of language. When the law said "in all respects similar to the ordinance of 1787," he thought it meant to prohibit slavery.

Mr. DUER reminded Mr. S., too, that the ordinance used the word "inhabitants," which was of the widest meaning.

Mr. McLANE was understood to inquire (but he was not distinctly heard at the seat of the Reporter,) whether the prohibition existed any where beyond the limits of the Northwest Territory, to which alone the ordinance of '87 applied?

Mr. SMITH said, Yes, outside of that Territory. Where the soil was free, slavery had always been prohibited.

Mr. McLANE was further understood to ask whether Mr. S. had found any case where it had been prohibited, save by the Missouri compromise or by the ordinance of '87?

Mr. SMITH was heard (amidst much disorder and conversation across) to say that it embraced all the territory of the United States.

Mr. McLANE inquired whether Mr. S. meant to refer to Arkansas and Missouri?

What Mr. S.'s reply was may be known to those within a few yards of him.

Mr. SMITH then went on to say that Congress were now asked to take a new position, to adopt an entirely new course, and extend slavery into territory now free. It amounted to this, that the Congress of the United States, representing free as well as slave States, should engage in the business of extending slavery. Had this ever yet been done? Never. Congress had acted in the restriction of slavery, never in its extension. They were now called on to establish it. Had Congress any power to establish it? Would gentlemen's zeal in favor of their institution carry them so far as to say that it had? It had never been attempted before. To do what was now asked would be virtually to establish slavery in all the States as well as all the Territories of the Union. He would ask his friend from Illinois (Mr. McCLERNAND) whether he was willing to stand up in his own Legislature and vote that one-half of the State of Illinois should be given up to the presence of slavery? He knew he would not; yet he was for establishing it up to a certain line in the Territories on the Pacific.

Mr. McCLERNAND said the gentleman from Indiana misrepresented him. All he proposed was that the States south of 36° 30′ should determine the question of slavery for themselves. He said nothing in his amendment which he had proposed about slavery in the Territories.

Mr. SMITH said he had then misunderstood the terms of the gentleman's amendment. As to the States being allowed to decide the question of slavery for themselves, they could not be prevented from doing that; it was their right. Congress could not prohibit slavery within any State. For Congress to declare, as the gentleman from Illinois proposed, would be supererogatory legislation. When the people of a State made their own constitution they could do on that subject just what they pleased. But Mr. S. would ask whether any man representing a free State would ever be willing to establish slavery where it was not?

But it was insisted that to prohibit slavery in a Territory which had been acquired by the common treasure and blood of all the States was doing gross injustice to the slaveholding States. Was there any thing unjust in this? Congress was now to shape the constitution of a Territory. Was there any injustice in saying that they should be free? Suppose Congress should say that slavery should be established there, would that not equally exclude settlers from the North?

Mr. HOLMES was understood to say it would not, for Northern people constantly came into the slave States.

Mr. SMITH. Would they not be excluded by the establishment of an institution which was against Northern feelings and Northern interests?

Mr. HOLMES said that Yankees would go any where. They came down into Charleston. Why would they not go into Territories where they found slavery?

Mr. SMITH said that every body knew that, in selecting a region wherein to settle for life, men were always greatly influenced by a knowledge of the laws and customs that prevailed there, and this was especially true of slavery and slave laws. If indeed Congress was passive on the subject, that would be another affair; but in that case slavery would not exist in the Territories, because it did not exist there now and was prohibited by law. But gentlemen were not satisfied with this; they wanted Congress to establish it there. It was contended that a Southern man had a right to go into those Territories with all his property. Well, if he had a right, therefore, to carry his slave there, then by the same reasoning he had a right to come with his slaves into Indiana; for the constitution gave him equal rights with the people of all the States into which he went. A citizen of Pennsylvania had a right to go there with his property, and could not a citizen of South Carolina go with his? Had Indiana a right to exclude a citizen of New York from coming there with his cows and oxen?

Mr. HOLMES said, Yes, she had.

Mr. SMITH said a State had no right to prevent the citizen of another State from coming there and bringing his property with him. But the whole error lay in maintaining that slaves were property. He admitted that people of all the States were permitted to come with that which was recognised as property by the constitution, by the laws of Nature, and by the laws of God; they might bring their horses and their cattle and their goods; but this did not prove they had a right to come there with slaves. A man's horse was his property, and he had a right to come there with his horse; and he had a right too to kill his horse, if he pleased; he might shoot him through the head upon the highway; because a horse was recognised as property by the laws of all civilized nations. But he could not kill his slave; he could not beat out his brains or shoot him down on the highway. Why? Because he was not property. There existed indeed a peculiar relation between master and slave; but that relation was created wholly by positive statute. Let him suppose a case. Gentlemen said a man had a right to go into the Territories with his slaves, because in the slave States these were regarded as property, so recognised by law. Now, suppose the laws of South Carolina recognised the right of a man to marry two wives, or many wives, at the same time; suppose bigamy or polygamy to be permitted by the laws of South Carolina, would it be maintained that a man might go into the Territories and live there with half a dozen wives at once? He would have no more right to do this than to go there and hold his slaves. Both institutions existed only by positive municipal law; and municipal regulations extended no further than the jurisdiction did which established them.

It was perfectly clear to Mr. S. that Congress had power to exclude slavery from a Territory, and he was free to exercise that power, because even every Southern mind recognised and admitted it to be an evil.

Mr. HOLMES. I do not admit it to be an evil. I hold it to be the greatest blessing that God ever conferred upon man

Mr. SMITH said he was contented with the decision on that subject of such Southern minds as those of Washington and Jefferson and Mason, and a host more, who all had admitted it in the most explicit manner to be an evil. But Mr. S. never should have referred to this had not gentlemen contended for the right to go into free territory with their slaves.

Mr. S. having closed his remarks—

The question was stated on striking out the first section of the bill, viz:

"That, from and after the passage of this act, all that part of the territory of the United States which lies west of the summit of the Rocky mountains, known as the Territory of Oregon, shall be organized into and constitute a temporary government by the name of the Territory of Oregon: *Provided,* That nothing in this act contained shall be construed to impair the rights of person or property now pertaining to the Indians in said Territory so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to affect the authority of the Government of the United States to make any regulation respecting such Indians, their lands, property, or other rights, by treaty, law, or otherwise, which it would have been competent to the Government to make if this act had never passed: *And provided further,* That nothing in this act contained shall be construed to inhibit the Government of the United States from dividing said Territory into two or more Territories, in such manner and at such times as Congress shall deem convenient and proper, or from attaching any portion of said Territory to any other State or Territory of the United States."

Mr. ROCKWELL, of Connecticut, moved a proviso to the first section to confirm titles of land at the missionary stations in the Territory of Oregon to the missionaries, not exceeding 640 acres to each.

Mr. R. said it was well known that there were in Oregon a few missionary stations, and that some small improvements had been made and some buildings erected around them. They were not extensive; but, to guard against abuse, he would insert a limitation. He presumed no one would object that these improvements of the missionaries, and a little land around them, should be confirmed to them. He would restrict the amendment by inserting "not exceeding one section of land to each."

Pending this amendment, the committee rose, and the House adjourned.

TUESDAY, AUGUST 1, 1848.

On motion of Mr. SMITH, of Indiana, the House resolved itself into Committee of the Whole on the state of the Union, (Mr. MOREHEAD in the chair,) and resumed the consideration of the bill to establish the Territorial Government of Oregon.

The question pending when the committee rose yesterday was on agreeing to the amendment moved by Mr. ROCKWELL, of Connecticut, to the 1st section, to confirm to the missionaries at the several stations land not exceeding in quantity in each case 640 acres.

The question was now put, and the amendment was agreed to.

The question was then put on striking out the 1st section, and it was rejected.

Mr. KAUFMAN moved the following as a new section, to come in between the 2d and 3d sections:

And be it further enacted, That all that portion of territory delineated as California and New Mexico on Disturnell's map of Mexico, a copy of which map was added to the late treaty of Guadalupe Hidalgo between the United States and Mexico, shall be divided by an east and west line, and constitute two distinct Territorial Governments. The northern portion of said territory shall be known and styled North California. The southern portion of said territory shall be known and styled South California. The dividing line between them shall be the parallel of 36½ degrees of north latitude, (from the Rio Grande to the Pacific,) commonly known as the Missouri compromise line. In said Territory of North California, slavery or involuntary servitude (except for crime) shall be prohibited Said Territory of South California shall stand in all respects in regard to slavery on the same footing as did the Territory of Louisiana at the time of its cession to the United States. Both said Territories of North and South California shall be organized in every other respect as the Territory of Oregon is provided to be organized by this act.

This amendment was ruled out of order.

Mr. BOYD. Mr. Chairman, be good enough to state the precise point.

The CHAIRMAN. The bill before the committee is a bill to provide a Territorial Government for the Territory of Oregon, and the proposition of the gentleman from Texas is to organize Territorial Governments for New Mexico and California. The Chair rules the amendment out of order; and the question is, Shall the decision of the Chair stand as the judgment of the committee?

Mr. COBB, of Georgia, called for tellers, and they were ordered and reported 88 in the affirmative, and 60 in the negative. The decision of the Chair was therefore sustained.

Mr. BOYDEN moved to strike out the words "and shall approve of all laws passed by the Legislative Assembly before they shall take effect," in the second section. [The effect of the amendment would be to take out of the hands of the governor the power of approval or disapproval of the laws of the legislature.]

Mr. B. said that, for one, he had great objections to this clause: and he was convinced that if it were once thoroughly understood it never could be agreed to. All legislative power was by the constitution granted to Congress. Congress had delegated it to the territorial legislature, and Congress could veto any laws made by that legislature. Here was a governor appointed by the President of the United States: and the bill gave him an absolute veto on the laws of the Territory. Should the bill pass with this feature in it, the power of virtually making laws for the Territory would effectually be secured to the President. And the result would come to be that the laws passed by the territorial legislature would be draughted in the White House, and his governor would negative the acts of the legislature unless they conformed to this dictation. Was it possible that Whigs, the friends of freedom, the determined enemies of Executive encroachment, were going to pass a bill like this, giving the appointee of the President an absolute veto? He trusted not. He could not conceive how any reflecting man, any man possessing a single right idea of civil liberty could consent to transfer the legislative power, indirectly, from Congress to the President. He trusted in God they were not going to strengthen a power which already threatened to swallow up all the powers and departments of Government and destroy all remains of liberty. Gentlemen were for taking good care of the appointing power: they would not trust that to this governor; that was reserved to the President; but it was now proposed that they should surrender the power of Congress and agree to give the President a nabsolute veto on all the legislation of the Territories.

Mr. CLARK (*pro forma*) moved to amend the amendment by striking out before the words "grant pardons, &c." the words *he may.* He observed that, at the last session, a territorial bill was passed granting power to the Governor to arrest by his veto the legislation of the Territory. Much had been said about "the one-man power;" and ever since the celebrated Allison letter it was assumed by gentlemen that the constitution of the United States ought to be so changed as to restrict the power of the President by abolishing the veto. What had occurred within the last two years to justify this change? Last year as many as fifty Whigs had voted for the identical clause which was now so vehemently opposed, giving a territorial governor an absolute veto. The very gentlemen who now defended the Allison letter, and even the gentlemen who voted to adopt it as the Taylor platform, had by yeas and nays voted in favor of a bill with this veto in it. The Speaker of the present House, he believed, was one of the number, and with him went nearly the whole Massachusetts delegation. But now a different doctrine was heard; and now the House must pass no laws but in conformity to the doctrines of the Allison letter.

The CHAIR here reminded Mr. CLARK that the rule of the House required a gentleman offering an amendment to speak during his five minutes to the amendment he had offered.

Mr. CLARK said he was discussing the power which this bill conferred on the Governor of Oregon. He would refer the House to the journal of the second session of the last Congress, page 175. There they would find that this very provision had been voted for by yeas and nays. Mr. C. withdrew his amendment.

Mr. CALEB B. SMITH moved to amend the second section by inserting, in lieu of the words moved to be stricken out by Mr. BOYDEN, the following: "And shall approve and sign all laws passed by the Legislative Assembly; but if he shall refuse to sign and approve any bill, the same shall become a law if re-enacted by a majority of the whole number of delegates elected to said Assembly, or if the same shall not be returned within ten days of its passage."

Mr. S. said that his views of the veto power, as it should be, were these. The Governor ought to examine all bills sent to him by the Legislature, and if he did not approve a bill, he ought to return it to them with his objections; let those objections be spread upon the journal; and then, after his objections had been duly considered, if the Legislature still deliberately adhered to their former opinion, they should have power to pass the bill, the objections of the Governor notwithstanding. This plan had been tried in his own State; it had worked well, and he knew of none who wished to change it.

The amendment of Mr. SMITH was declared to be carried, but the yeas and nays were demanded.

Mr. VINTON inquired whether this amendment, if adopted, would go into the bill and become part of it?

The CHAIR replied that it would.

Mr. VINTON then said that he should move to strike out the last clause of the gentleman's amendment. Mr. V. said he was led by experience of the past to oppose the veto altogether. By the ordinance of 1787 the veto power was given to the Governor of the Northwest Territory, as it was proposed to be conferred by the present bill; but the power had been so outrageously abused, and the application of it created so much discontent among the people, that, as soon as they were numerous enough to form a constitution for themselves, they deprived the Governor of the veto altogether; and, so far from the alterations having worked any evil, experience had shown that they got on better than when the power was freely used. The same state of things existed in Virginia: there was no gubernatorial veto in that State. There was still greater objection to its existence in Oregon. When a man appointed by Executive authority was sent into a Territory three thousand miles distant from the seat of Government he would have it in his power to practise abuses to a fearful extent. If he was a man who had any thing of the tyrant in him, he could and would do so till the grievance became intolerable. He should vote for striking out, but not for inserting as was proposed.

Mr. McLANE wanted to retain the veto power in the hands of the Governor, but to balance it by requiring him to be elected by the people.

Mr. ASHMUN here raised a point of order, but, as the Reporter understood, it was overruled.

Mr. McLANE then proposed to amend the clause to be stricken out by inserting that the Governor should be elected by the qualified voters of the Territory.

Mr. McL. said he was opposed to placing a veto in the hands of a Governor appointed by the President, and he agreed with the gentleman from North Carolina (Mr. BOYDEN) that it would be unjust to the people of the Territory to give an absolute veto in all legislative proceedings to one so appointed; it was enough that Congress had a veto on all their laws. But he would have the people elect their own Governor, and then he should not object to leave the veto in his hands. The gentleman from Ohio (Mr. VINTON) had reminded the committee that there existed no veto in Virginia. He might have added Maryland also; and he did not think that the people of Maryland, if they had now the formation of their own constitution, would confer the veto on their Governor.

Mr. McLANE's amendment was ruled out of order.

Mr. GREEN made a *pro forma* motion to amend, and then went on to observe that he considered this as a question which ought not to be decided on party grounds. It was proposed in the bill to clothe him with the veto power. Before gentlemen struck out this feature of the bill, they would do well to remember that the Governor, being appointed by the President, would be the only representative of this Government in that Territory in relation to its legislation; if Congress had any right of jurisdiction over the Territory, its representative, the Governor, ought to have some power of passing on the laws passed by the Territorial Legislature.

Mr. VAN DYKE insisted that all had been out of order but the motion to strike out made by the gentleman from North Carolina, (Mr. BOYDEN.)

And thereupon there arose a protracted discussions about